

APR 28 2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

Nathan Ochsher, Clerk of Court

UNITED STATES OF AMERICA

Vs.

CRIMINAL COMPLAINT

Melissa Garza

Case Number: C-21-494M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 27, 2021 in Brooks County, in the Southern District of Texas, defendant, **Melissa Garza**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law


in violation of Title 8 United States Code, Section(s) 1324
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent **David Stone**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:


Signature of Complainant

David Stone

Printed Name of Complainant

April 28, 2021

Date

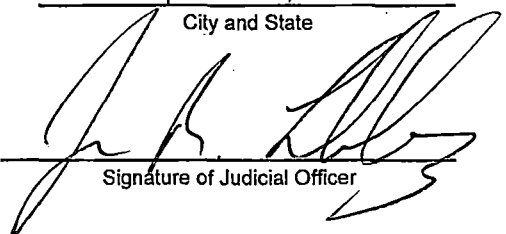
at

Corpus Christi, Texas

City and State

Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

SYNOPSIS:

On April 27, 2021, Melissa GARZA was arrested at the Falfurrias, Texas Border Patrol Checkpoint attempting to smuggle thirteen illegal aliens.

ENCOUNTER:

At approximately 9:45 p.m., Border Patrol Agents assigned to the Falfurrias, Texas Border Patrol Checkpoint observed a Chevrolet Tahoe towing a travel trailer approach the primary lane for inspection. The vehicle was being driven by Melissa GARZA.

GARZA stated she was on her way to a job as an electrician's assistant. GARZA informed the agent the travel trailer belonged to her. During the inspection, the on duty canine handler informed the agent his service canine was alerting to the travel trailer. At that point the vehicle was referred to secondary inspection.

Once in secondary, the canine handler informed agents his service canine, again alerted to the travel trailer. While waiting outside the vehicle, GARZA stated to agents that the travel trailer was not hers. The agent standing with GARZA asked her how many people were in the trailer and GARZA replied, "I think two." The door of the trailer was locked but agents were able to speak to one of the aliens through an open window. Once agents were able to open the door, they discovered thirteen subjects inside the travel trailer. All subjects were determined to be citizens of various countries, illegally present in the United States. A Mexican Passport belonging to one of the smuggled aliens, Carlos BARRETO-Ramirez, was found inside the Tahoe. GARZA was placed under arrest for alien smuggling and all subjects were escorted inside the checkpoint.

MIRANDA RIGHTS

GARZA were read her Miranda Rights in the English language. Subjects stated she understood her rights but was unwilling to provide statements without the presence of an attorney.

NOTE: Once the interview concluded, agents began collecting biographical data from GARZA. At that time GARZA freely admitted that she knew the subjects were in the travel trailer and was getting paid to transport them.

The material witness was read his Miranda Rights in his preferred language of Spanish. Subject stated he understood his rights and was willing to provide a statement without the presence of an attorney.

MAT/WIT STATEMENT (Carlos BARRETO-Ramirez)

BARRETO stated he and two other men were picked up at a stash house by a female in a white pickup and taken to a parked travel trailer. BARRETO stated the female instructed them to enter the travel trailer. Once inside the trailer, BARRETO heard the voice of a male and an additional female but could not see them.

DISPOSITION:

The case was accepted by the Assistant United States Attorney's Office against Melissa GARZA for prosecution of Title 8 USC 1324, Alien Smuggling. Carlos BARRETO-Ramirez will be held as a material witness in this case.



David Stone
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on April 28, 2021.



Jason B. Libby
United States Magistrate Judge